

THE PRINCIPAL
ACTS
OF THE
General Assembly
OF THE
CHURCH
OF
SCOTLAND,

Conveened at *Edinburgh*, the 23d Day of *May* 1754.

Collected and extracted out of the Records by the Clerk thereof.



EDINBURGH:

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THE PRINCIPAL

A C T S

OF THE

General Assembly

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THE PRINCIPAL
A C T S
OF THE
General Assembly
OF THE
CHURCH
OF
SCOTLAND,

Begun at *Edinburgh*, upon *Thursday* the 23d
Day of *May* 1754, and concluded the 3d
Day of *June*, and Year foresaid.

I.

*The King's Commission to JOHN Earl of
HOPETOUN produced and ordered to
be recorded.*

Edinburgh, the 23d Day of May 1754. Sess. 1.



THE General Assembly of this National Church
being convened and constituted, there was
produced to them, by the Right Honourable
JOHN Earl of HOPETOUN, The KING's Com-
mission, sealed with the Seal appointed by
the Treaty of Union to be kept and used in
Scotland in Place of the Great Seal of *Scotland*, making
and constituting him His Majesty's High Commissioner and
Representative in this Assembly; which being publicly read,
with all due Honour and Respect, was ordered to be re-
corded

corded in the Books of Assembly; the Tenor whereof follows, *viz.*

GEORGIUS, Dei gratia, Magnæ Britanniae, Franciæ et Hiberniæ Rex, fidei Defensor, omnibus probis hominibus ad quos præsentēs literæ nostræ pervenerint, salutem: Quandoquidem nos considerantes quod generalis Ecclesiæ Scotiæ conventus, in vigesimum tertium diem Maii instantis, convenire ordinatus fuit; nosque etiam abunde cupidi, quin etiam necessarium esse judicantes, in commodum dictæ Ecclesiæ, ut idem generalis Ecclesiæ conventus die statuto debite observetur; atque rebus magni momenti nos alio vocantibus, dicto conventui personaliter interesse nequimus; Nosque abunde satisfacti de sufficientia et fidelitate fidelissimi et dilectissimi nostri consanguinei JOANNIS comitis de HOPETOUN, quod ad summum munus postea mentionat. rite exercendum et obeundum, usquequaque sit instructus et idoneus: Noveritis igitur nos nominasse, constituisse et ordinasse, sicuti tenore præsentium nominamus, constituimus et ordinamus, memoratum Joannem comitem de Hopetoun supremum nostrum commissarium, ad effectum postea mentionat. dando pariter et concedendo illi plenissimam nostram potestatem, commissionem et warrantum, sacram nostram personam et authoritatem regalem repræsentandi, nec non præsentiam nostram supplendi, et locum nostrum in dicto subsequenti generali conventu, tanquam commissario nostro in hunc effectum specialiter constitut. tenendi, omniaque alia ad imperium et munus commissarii pro generali Ecclesiæ conventu peragendi, tam plene, adeoque libere, in quovis respectu, quam quilibet alius ejusdem summi muneris fecerat, seu quovis tempore præterito facere potuerat, vel ac si nos ipsi personaliter præsentēs facere potuerimus. Quæque omnia singula ab antedicto Joanne comite de Hopetoun, in hac nostra commissione prosequenda, legitime fecerit, seu fieri ordinaverit, nos firmiter approbamus et habituri sumus. Omnibus et singulis insuper antedictæ Ecclesiæ et conventus pastoribus et presbyteris, ceterisque quibuscunque infra illam partem magnæ Britanniae Scotiam vocat. subditis nostris, cujuscunque gradus seu qualitatis, ut dict. Joannem comitem de Hopetoun tanquam supremum nostrum commissarium, quoad effectum et modum supra mentionat. revereantur, agnoscant, et dicto ipsius audientes se præbeant, stricte mandamus et imperamus; atque hanc nostram commissionem a dict. vigesimo tertio die instantis Maii incipere, et deinceps hac subsequen. sessione dicti generalis conventus in vigore continuare declaramus, vel ulquedum a nobis revocabitur et exonerabitur. In cujus rei testimonium sigillum nostrum, per unionis tractatum custodiend. et in Scotia, vice et loco magni sigilli ejusdem, utrend. ordinat. præsentibus appendi mandavimus, apud aulam nostram apud Kensingtoun, octavo die mensis Maii, millesimo

lesimo septingentesimo quinquagesimo quarto, regnique nostri anno vigesimo septimo.
Per signaturam manu S. D. N. Regis suprascript.

Written to the Seal, and registered the Twenty second Day of May, One thousand seven hundred and fifty four.

Sealed at Edinburgh, this Twenty second Day of May, One thousand seven hundred and fifty four Years.

ALEX^r. CAMPBELL Dep.

ARCH^d. CAMPBELL.

II.

The King's most gracious Letter to the General Assembly, presented to them by His Majesty's Commissioner.

Edinburgh, May 23d 1754. Sess. I.

GEORGE R.



RIGHT Reverend and Well-beloved, We greet you well. The repeated Proofs you have given of your steady Zeal for the Advancement of true Religion, and the Experience we have had of your Loyalty and Affection to our Person and Government, have induced us most readily to concur in this your present Meeting, and to countenance the same with our Royal Authority and Approbation; as we are persuaded, that you will at all Times be governed by, and are now come together with, the same good Principles and Dispositions, we gladly assure you of our firm Resolution to protect the Church of *Scotland* as by Law established, and to maintain it in the full Enjoyment of all its Rights and Privileges.

The Knowledge we have of the Fidelity and Prudence of our Right Trusty and entirely beloved Cousin, *John* Earl of *Hopetoun*, and of his Capacity and Abilities for the discharging of so important a Trust, has determined us to make Choice of him, to represent our Person in this Assembly; and, you are so well acquainted with his firm Attachment to us and our Government, and with his Zeal for the Church of *Scotland*, that we cannot doubt of his being most agreeable to you.

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We have the firmest Confidence, that nothing will be wanting on your Part that can effectually promote true Piety and Virtue, which is the principal View of your assembling at this Time, or contribute to the Attainment of so very desirable an End. And so we bid you heartily farewell.

Given at our Court at *Kensington*, the 8th Day of *May 1754*, in the Twenty seventh Year of our Reign.

By his Majesty's Command.

HOLDERNESSE.

III.

The General Assembly's Answer to the King's most gracious Letter.

Edinburgh May 25th, Sess. 3.

May it please your Majesty,



OUR Majesty's most gracious Letter to this National Assembly of the Church of *Scotland*, we received with the most respectful Joy and Submission: We beg leave to return our most sincere and humble Thanks for so valuable a Mark of your Majesty's Favour, and for the Assurance you condescend to give us that you concur in this our Meeting, and countenance the same with your Royal Authority and Approbation.

We think ourselves greatly honoured, by the Notice you are pleased to take of the repeated Proofs, whereby the Zeal of this Church for the Advancement of true Religion has been manifested: This must excite us to renew them on every Occasion; that, whilst we exert our best Endeavours in the Service of our heavenly Master, and under the Influence of a blessed Hope of his final Approbation, we may likewise enjoy the Happiness of being distinguished by such gracious Expressions of your Royal Favour, and may leave an Example worthy of being imitated by future Assemblies.

To

To preserve inviolable our Loyalty and Affection to your Majesty's Person and Government, to propagate and diffuse the like good Dispositions, and to rivet them in the Hearts of all others our fellow Subjects to whom our Influence or Example can extend, are Ends which we judge ourselves indispensably bound to pursue, with an Ardour and Application becoming their excellent Nature, their high Importance, and our deep Obligations of Gratitude to your Majesty's Goodness.

Conscious that we are now come together with the same good Principles and Dispositions, by which former Assemblies have been govern'd, and trusting in the God of all Grace, that we shall never at any Time become so forgetful of the Ties of Duty and Gratitude, or so blind to our own true Interest, as in the least to swerve from them; we do, with unshaken Confidence, rely on your Majesty's Resolution to protect the Church of *Scotland* as by Law established, and to maintain it in the full Enjoyment of all its Rights and Privileges.

Your Majesty's Choice of the Right Honourable the Earl of *Hopetoun* to represent your Royal Person in this Assembly, we thankfully acknowledge as a conspicuous Evidence of your Favour to this Church. His Loyalty and his Zeal for your Majesty's Honour and Service, his known Integrity, Ability, and Prudence, which do eminently qualify him for the Discharge of so important a Trust, his Attachment to the Principles and Establishment of this Church, and our firm Persuasion that he will, on every proper Occasion, readily exert himself for its Honour and Interest, do all concur to render him most acceptable to us.

Happy shall we be, if our well meant Endeavours for the Advancement of true Piety and Virtue, shall make it more and more appear, that your Royal Confidence in us is not misplac'd.

That the most high God, the King of Kings, and Lord of Lords, may preserve your sacred Person, prolong your precious Life, inspire all your Councils with the Wisdom that is from above; that he may bless and prosper your Government, defeat all the Designs of your Enemies, and turn their Councils into Foolishness; that he may bless the Prince of *Wales*, direct his Education, and make it subservient to the most valuable Purposes; that he may abundantly bestow upon all the Branches of your Royal Family, the richest Fruits of his Love and Mercy; that we and our Posterity, may never want a Prince of your Royal Progeny to sway the Sceptre over us; that you may be long preserved, the Guardian of our Religion, Laws, and Liberties; and that, having worn an earthly Crown with Glory, you may

may late exchange it for an heavenly and unfading one,
are, and shall be, the fervent Prayers of,

May it please your Majesty,

*Your Majesty's most faithful, most obedient, and
most loyal Subjects,*

*The Ministers and Elders, met in this Nation-
al Assembly of the Church of Scotland.*

*Signed in our Name, in our Presence, and at
our Appointment, by*

ROBERT HAMILTON, Moderator.

IV.

*Act anent licensing Probationers, and
settling Ministers in consequence of
a Presentation.*

Edinburgh, May 30th 1754. Sess. 7.



THE General Assembly enjoin all Presbyteries,
that they take care, in licensing Probationers,
strictly to observe the Rules of the Word of God,
and Acts of Assembly relative thereto; also strict-
ly to observe the Rules of this Church with respect to Pro-
bationers for the Ministry, licensed in *England*, or in fo-
reign Parts, That before taking any Steps toward a Settle-
ment in consequence of a Presentation, they take care, that
the Patron and Presentee be duly qualified, and that the
Presentation be in the Terms of Law; and that, when one is
presented to a Parish against whom there appears to be no
just Objection, they use their best Endeavours to render the
Presentee acceptable to the Parish.

Act

V.

Act appointing Ministers ordained or admitted to Parishes, to be Members of the Presbytery and Synod in whose Bounds the Parish lies.

Edinburgh, May 30th 1754. Sess. 7.

TH E General Assembly do hereby declare, that when one is ordained or admitted as Minister of a Parish, he shall, by virtue of such Ordination or Admission, be *ipso facto* a Member of the Presbytery and Synod in whose Bounds the Parish lyes; and ordains the Clerks of these Judicatories forthwith to inroll him: And all Clerks of Synods and Presbyteries, are hereby enjoined to inroll as Members such as have, at any Time preceeding this, been ordained or admitted as Ministers of Parishes within their respective Bounds.

V I.

Act extending the twelfth Act of the Assembly 1736, to Sentences passed by the General Assembly, and not obeyed by Presbyteries.

Edinburgh, May 30th 1754. Sess. 7.

TH E General Assembly finding, that, by the twelfth Act of Assembly 1736, Presbyteries refusing to obey the Sentences of the Commission of the General Assembly, are declared to be, *ipso facto*, list before the next General Assembly, to whom they shall be accountable for their Conduct; do hereby declare this Act to be extended to Sentences passed by the General Assembly, and not obeyed by Presbyteries.

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VII.

Commission to some Ministers and Ruling Elders, for discussing Affairs referred to them.

Edinburgh June 1st, Sess. 8.

THE General Assembly considering that there are divers Affairs which they cannot overtake, do hereby nominate, commissionate and appoint all the Members of this Assembly, with the Reverend Mr. *John Goldie*, Principal of the College of *Edinburgh*, Mr. *Thomas Hepburn* at *Birsay*, Mr. *William Nisbet* at *Firth* Ministers; the most Honourable the Marquis of *Tweeddale*, the Right Hon. the Earl of *Home*, Sir *Gilbert Elliot* of *Minto*, Mr. *John Sinclair* of *Murkle*, Mr. *Henry Home* of *Kaims*, three of the Senators of the College of Justice, Sir *John Clark* of *Pennycuik*, Bart. one of the Barons of Exchequer, to be Commissioners of this General Assembly, to the Effects after mentioned, with Power to the said Commissioners, or their *Quorum*, which is hereby declared to be any Thirty-one of the said Commissioners, whereof Twenty-one are always to be Ministers, to meet and convene within the Assembly-house at *Edinburgh*, the first Day after the Dissolution of this Assembly, at Ten of the Clock in the Forenoon, and thereafter the second *Wednesday* of *August*, third *Wednesday* of *November*, and first *Wednesday* of *March* next to come, and oftner, when and where they shall think fit and convenient, with Power to the said Commissioners to chuse their own Moderator: And likewise the General Assembly fully impowers their said Commissioners, or their *Quorum* abovementioned, to cognosce and finally determine, as they shall see Cause, in every Matter referred, or that shall be referred to them, by any Act or Order of this Assembly, and to do every thing contained in, and conform to the Instructions given or to be given by this Assembly; and to advert to the Interest of the Church on every Occasion, that the Church, and present Establishment thereof do not suffer or sustain any Prejudice which they can prevent, as they will be answerable: Providing always, that this general Clause be not extended to particular Affairs, or Processes before Synods or Presbyteries, that are not of universal Concern to, or Influence upon the whole Church. And it is hereby appointed, that no private Processes be determined, except

cept at the four stated Diets; and what shall be determined at one Diet of the Commission, with relation to private Causes, shall be unalterable by any other Diet thereof, and shall stand and continue in Force 'till disapproved by the General Assembly. And the General Assembly renews the Instructions given by the General Assembly in the Year One thousand seven hundred and seventeen to their Commission, and appoints the same to stand in full Force, as Instructions to the Commissioners beforenamed, and to be observed by them in all Points, as if the same were specially here insert: And that they enquire into the publishing and spreading of Books and Pamphlets, tending towards the promoting of Opinions of whatever Kind, inconsistent with our *Confession of Faith*; and that the Recommenders of such Books or Pamphlets, or the Errors therein contained, whether by Word, Writ, or Print, be called before the said Commission to answer for the same. And further, the said Commission is hereby empowered to receive any References and Appeals that shall be made to them from Synods, in Matters of Doctrine, and ripen such Affairs for the General Assembly; and to contribute what they can to the suppressing of Vice and Immorality, and give all needful Advice and Assistance to Synods and Presbyteries, upon Application to them for that End: Likeways to take care that the Impressions of the *Holy Scriptures*, the *Confession of Faith*, and *Catechisms*, and such Books as are authorized by this Church, relating to the Doctrine, Worship, Discipline and Government thereof, be correct; and give Directions about printing the same. And the said Commission are appointed and empowered to keep a Correspondence with the Committee for Reformation of the *Highlands* and *Islands* for suppressing Popery and Superstition, and for promoting the Knowledge of true Religion, and carrying on a Reformation in these Parts, and give Assistance and Concurrence therein; and, if Need be, to apply to the Government for a proper Remedy and speedy Redress. And the said Commissioners are hereby strictly prohibited and discharged to meddle in any other Matters than what are committed and referred to them, as abovementioned: And, in all their Actings, they are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto, or to the Prejudice of the same; declaring, that in and for all their Actings, they shall be accountable to and censurable by the next General Assembly, as they shall see Cause. And this Commission is to continue and endure untill another Commission be appointed; and Members are required to attend the Diets of the said Commission, and Absents therefrom ordered to be noticed, according to the 17th Act of the General Assembly, held in the Year One thousand seven hundred and six. And for the better securing of a *Quorum*, and Attendance of Members on the Commission

mission, the General Assembly prohibits the Presbytery of *Edinburgh*, or any other Presbytery within twelve Miles thereof, to meet any of the Days or Weeks appointed for the Meeting of this Commission; and such of the Members of these Presbyteries as are on the Commission are required all of them, to give Attendance on the Diets thereof; and the Presbyteries at a greater Distance, who have four or more Members on the Commission, are to take care that at least two of them attend each Diet of the same. And the Assembly appoint their Commission, at their first Meeting, to discuss as many of the Causes and Questions, relative to the Settlement of vacant Churches, which are, or shall be referred to them by the Assembly, as they can overtake. And it is further provided, that when any Presbytery or Synod of this Church shall decline to comply with the Sentences of the Commission, or to give the same a full Execution, in that Case, the Commission is hereby prohibited to execute the same, by appointing any such correspondent Meetings, as has been sometimes the Practice; but shall allow the same to lye over to the ensuing Assembly, to which such Presbyteries or Synods shall be answerable for such their Conduct, and are hereby appointed to send up with their Commissioners their Reasons for the same. And the Assembly doth further empower and direct the said Commission to make due Application to the King and Parliament for Redress of the Grievance of Patronage, in case a favourable Opportunity for so doing shall occur, during the Subsistence of this Commission. And the General Assembly do enjoin their Commission, that in passing their Sentences, and in ordering the Execution of the same, they strictly observe the 12th Act of the Assembly 1736.

Com.

VIII.

Commission to some Ministers and Ruling Elders for Reformation of the Highlands and Islands, and for managing his Majesty's Royal Bounty for that End.

Edinburgh, June 3d 1754. Sess. ult.

THE General Assembly do hereby nominate, commissionate and appoint the Reverend Mr, *Robert Hamilton*, Professor of Divinity in the College of *Edinburgh*, their Moderator; Mr. *John Goldie* Principal of the College of *Edinburgh*; Mr. *Thomas Tullideph* Principal of *St. Leonards College at St. Andrews*; Mr. *James Muirison* Principal of the new College there; Mr. *Neil Campbel* Principal of the College of *Glasgow*; Mr. *John Lumisden* Professor of Divinity in the King's College of *Aberdeen*; Mr. *Robert Pollock* Professor of Divinity in the Marishal College of *Aberdeen*; Mr. *Andrew Shaw* Professor of Divinity in the new College of *St. Andrews*; Mr. *William Leechman* Professor of Divinity in the College of *Glasgow*; Mr. *Matthew Stewart* Professor of Mathematicks in the College of *Edinburgh*; Mr. *James Wetherspoon* at *Tester*, one of his Majesty's Chaplains; all the Ministers, Members of the Presbytery of *Edinburgh*, with Masters *Robert Woodrow* at *Eastwood*, *James Stirling* at *Glasgow*, *James Campbell* at *Kilmore*, *John Warden* at *Perth*, *Andrew Melvill* at *Cults*, *John Ker* at *Mains*, *Alexander Stewart* at *Leslie*, *Walter Ross* at *Tong*, *Matthew Cleghorn* at *St. Andrews*, *Andrew Gloug* at *West-Calder*, *Alexander Oliphant* at *Baver*, *John Clunie* at *Whitekirk*, *Andrew Chatto* at *Marbottle*, *William Cunningham* at *Sanguhar*, *Archibald MacNeil* at *Kilchalmonell*, *Malcolm MacCaskill* at *Killmalie*, *John MacAulay* at *South-Vist*, *John Robertson* at *Alyth*, *Dougald Allan* at *Inverchaolan*, *John Melvill* at *Denoon*, *Edward Steedman* at *Haddingtoun*, *James*
D *Spence*

Spence at Urquhart, Robert Jack at Carnwath, John Edmonston at Cardross, Andrew Smith at Dinning, Robert Drummond at Auchterarder, David Plenderleith at Dalkeith, Thomas Turnbull at Borthwick, James Primrose at Crichton, Alexander Carlile at Musleburgh, James Richardson at Aberfoyle, John MacLaurin at Glasgow, John MacInnes at Coldstone, Alexander MacLaggan at Little Dunkeld, Duncan MacPherson at Laggan, John Douglas at Kinmore, William Smith at Cranston, Murdoch MacKenzie at Inverness, John Sutherland at Tayne, and Robert Trail at Banff, Ministers: His Grace James Duke of Athole, his Grace Archibald Duke of Argyle, the most Honourable the Marquis of Tweeddale, the most Honourable the Marquis of Lothian, the Right Honourable the Earl of Leven, the Right Honourable the Earl of Marchmont, the Right Honourable the Earl of Dumfries, the Right Honourable the Earl of Breadalbine, the Right Honourable the Lord Somerville, the Right Honourable the Lord Napier, the Right Honourable Robert Craigmie of Glendoick, Esq; Lord President of the Court of Session, the Right Honourable William Grant of Prestongrange Esq; his Majesty's Advocate, Charles Erskine of Tinwald, Esq; Lord Justice-Clerk, Hew Dalrymple of Drumore Esq; Alexander Fraser of Strichen, Esq; Patrick Grant of Elchies, Esq; John Sinclair of Murkle, Esq; Patrick Boyle of Shewalton, Esq; Alexander Boswell of Auchinleck, Esq; six of the Senators of the College of Justice; Mr. Robert White of Bennochie, Doctor of Medicine, Mr. John Buchan of Lethem, Mr. Robert Alexander, John Carmichael Merchant, and one of the present Baillies of Edinburgh, Mr. Robert Dalrymple of Priestside Writer to the Signet, Mr. James Smollet of Bonhill Advocate, Mr. Robert Pringle Advocate, Dean of Guild Hathorn, James Ker, Jeweller in Edinburgh, Mr. Barclay of Pitaap, Sir Alexander Dick of Priestfield, George Drummond Esq; late Lord Provost of Edinburgh, Mr. Robert Dundas of Arniston, Advocate, Mr. Andrew Pringle Advocate, Mr. Gilbert Elliot of Lochgellie Advocate, Mr. Alexander Home of Eccles, and Mr. Patrick Haldane of Bearcrofts his Majesty's Solicitor, Colin Campbell of Kilbride, Esq; one of the Commissioners of his Majesty's Customs, Sir John Clark of Pennycuik, one of the Barons of Exchequer, Mr. Alexander MacMillan of Dunmore Writer to the Signet, Hector MacLean of Torloisk, Mr. David Dalrymple Advocate, Procurator for the Church; John Maul of Inverkeilor, Esq; one of the Barons of Exchequer, Mr. James Erskine Advocate, Mr. James Davidson of Haltree, Albert Munro of Coul, James White of Overstockbridge, George Dundas of Dundas, Esq; Sir Robert

bert Sinclair of *Stevenson*, *Mr. Robert Montgomery* one of the present Baillies of *Edinburgh*, *William Keir Baxter* and Deacon Conveener of the Trades therein, *Doctor Alexander Martin* of *Little Airies* Physician, *John Paton* Bookfeller in *Edinburgh*, *Mr. Thomas Boyes* Writer in *Edinburgh*, *Mr. William Halwall* Preacher of the Gospel, *Archibald Mac Aulay*, Esq; late Lord Provost of *Edinburgh*, *Mr. George Wallace*, Advocate, and *Thomas Innes* Writer in *Edinburgh*, Ruling Elders; TO be a Committee of this Assembly, for Reformation of the Highlands and Islands of *Scotland*, for promoting the Knowledge of true Religion, suppressing of Popery and Profaneness, and for managing the Royal Bounty given for these Ends, according to, and in Terms of his Majesty's Grant to this Assembly, and the sixth Act of last Assembly, and whole Acts therein mentioned, and in Acts formerly made and referred to, in the Commissions granted to former Committees, any five of the abovenamed Persons are declared to be a *Quorum*, whereof three to be Ministers: But it is hereby appointed, That, at the quarterly Meeting of the said Committee, when the Scheme or Establishment of Missionaries, for the Year ensuing, shall be approved and determined, nine Ministers and five Ruling Elders, at least, shall be a *Quorum*; and the said Committee are appointed to have their Meetings at *Edinburgh*, in the Hall of the Society in *Scotland* for propagating Christian Knowledge, the last *Thursday* of every Month, at Four of the Clock Afternoon, and also the first lawful Day after the Adjournment of the four stated Diets of the Commission of the General Assembly, at Ten of the Clock Forenoon, except when it falls to be upon *Friday* or *Saturday*, and then the Meeting is to be upon *Monday* next thereafter, at the said Hour; with Power to the said Committee to adjourn themselves to such Times and Places as they shall find most needful and convenient; and they are to keep a Correspondence with the Commission of the General Assembly, and the Society for propagating Christian Knowledge, and their Committee of Directors, and take their Advice and Assistance. And the General Assembly do, by these Presents, nominate and appoint the said *Mr. David Dalrymple* Advocate, Procurator for the Church, to be Receiver of the foresaid Royal Bounty, and to pay out the same as he shall be directed and ordered by the said Committee, and according to their Rules. And the said Committee are appointed to examine the Accounts of the Distribution of the Royal Bounty, and lay the same before the Lords Commissioners of his Majesty's Treasury, or the Barons of his Majesty's Court of Exchequer, and to report their Diligence to the General Assembly, to whom they are to be accountable. And it is agreed

greed, that no Person once employed, and insert in the Scheme, shall be struck out thereof for that Year, but by the *Quorum* of at least nine Ministers and five Ruling Elders; And in case any Complaint shall be made against any of them on the Scheme, it shall not be determined at the first ordinary Meeting that the same is offered, but shall lye on the Table till another Meeting; and, in the mean Time the Person complained of, and the Presbytery of the Bounds wherein he officiates, shall be acquainted of such Complaint, and these concerned be required to send to the said Committee a just Account of the Matter, against their next Meeting. And it is further appointed, That, after the yearly Scheme of Missionaries on the Royal Bounty is settled, in Manner above directed, and Notice thereof given by Letters to the Presbyteries concerned, such Presbyteries shall send up to the said Committee their Answers to these Letters, at farthest, with their Commissioners to the General Assembly, if the same be not done sooner; and that the Committee, at their Meeting in *May*, in case they do not complete the next Years Scheme themselves, shall name a Sub-committee of their Number, for completing the same, who are to lay their Draught thereof before a subsequent Meeting.

IX.

Act appointing the Diet of the next General Assembly.

Edinburgh, June 3d 1754. Sess. ult.



THE next General Assembly of this National Church is appointed to be held in this Place, upon the fourth *Thursday* of *May* next, being the Twenty second Day of that Month, in the Year 1755.

*Collected and extracted from the Records
of the General Assembly, by*

GEORGE WISHART, *Cls. Eccl. Scot.*

Over-

*Overture anent Ministers ordained in
England, or in foreign Parts.*

Edinburgh, May 30th 1754.

THE General Assembly transmit the following Overture to the several Presbyteries of this Church, that they may report their Opinion thereupon to the next General Assembly, *viz.* That, before any Minister ordained in *England*, or in foreign Parts, be considered as a Minister of this Church, so as to be capable of a Charge in the Establishment, he shall preach before the Presbytery in whose Bounds the Charge is, and be examined by them, in order to their judging if he be duly qualified. And in case any such Minister shall be presented by a Patron, or receive a Call to any Parish, previously to his undergoing the Trial now mentioned, it shall be competent for the Presbytery to take Trial of him as above, in order to his Settlement.

*Overture anent Members of inferior
Courts judging in Causes appealed
from them to the superior Courts.*

Edinburgh, June 1st 1754.

THE General Assembly agreed to transmit the following Overture, transmitted to them by the Commission of last Assembly, to the Consideration of the several Presbyteries, that they may report their Opinion thereon to the next General Assembly; which Overture is as follows, *viz.* The Commission considering, that the present Practice of this Church, whereby the Members of inferior Judicatories are excluded from judging, or voting, in the superior Judicatories, in case of an Appeal, is contrary to the Practice of all other Courts both of Law and Equity, and in some Measure subversive of that exact Parity which is a leading Part of our Constitution, as it sometimes subjects the Sentence of the far greater Number to that of the lesser; and further, considering that, by this Means, those who a little before acted in the Character of Judges, are obliged to stand at the Bar on a Level with the Pannel, must enter into the Spirit and Warmth of a Party, and perhaps are condemned for no other Reason, than

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giving Sentence according to their best Judgment, and which they would willingly have altered upon a Review; and as it often, if not always, happens that, when the Members of inferior Courts, before whom the Cause was first tried and thoroughly canvassed, are removed, the Affair is not sufficiently understood, particularly because those who voted among the Minority are not allowed to assign any Reasons for their Conduct, except they have entered a Complaint, which one would not chuse to do, unless in a very strong Case; and every one knows, that, in the Course of reasoning, Things frequently cast up which perplex or mislead the Judges, that could easily have been obviated or cleared up, if the Members of the inferior Courts had not been deprived of the Liberty of speaking: On all these Accounts, and for many other obvious Reasons, the Commission propose, that the Assembly should transmit an Overture to the Consideration of the several Presbyteries, for allowing the Members of inferior Judicatories to sit, judge and vote in the superior Courts, in Cases of Appeals, as they do at present in the Case of a Reference.

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Index or Abridgement

O F T H E

Actings and Proceedings of the General Assembly of the Church of *Scotland*, held in the Year 1754, which are not printed at full Length.

AFTER Sermon by the Reverend Mr. *Alexander Webster*, one of the Ministers of *Edinburgh*, and Moderator of the last General Assembly, the Ministers and Ruling Elders, Members of this Assembly, did convene, and the Reverend Mr. *Robert Hamilton*, Professor of Divinity in the College of *Edinburgh*, being chosen Moderator, he, at the Assembly's Desire, took the Chair. *May 23d Sess. 1.*

The King's Commission to *John Earl of Hopetoun*, to represent his Majesty's Royal Person in this Assembly, read and recorded. *Ibid.*

The King's most gracious Letter to this Assembly, read and recorded. *Ibid.*

The Commissioner's Speech at opening this Assembly, and the Moderator's Speech in return thereto. *Ibid.*

A Committee named to draw an Answer to the King's most gracious Letter. *Ibid.*

A Motion, that it might be proper to take Notice in the Minutes of Assembly, that Mr. *John Baillie*, who had been one of the Servants of the Church, having died since last Assembly, the whole Offices of Agent for the Church, Sub-clerk to the General Assembly, and Commissions thereof, and Clerk to the Committee for managing the Royal Bounty, had now devolved upon Mr. *James Edmonstone*, and that the Act of last Assembly respecting this Matter should be read; made, and delayed till *Saturday* next; and the Committee for Overtures, at their first Meeting, appointed to receive in, and transmit to the Assembly, at their Meeting on *Saturday* next, such Instructions from Presbyteries and Synods as relate to this Affair. *Ibid.*

A Committee named for revising the Commissions to Members of this Assembly, censuring Absents from the Diets of Assembly, naming Ministers to preach before his
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Grace the King's Commissioner, receiving in Lists of Probationers in the several Presbyteries, in order to be recorded, and of Students in Divinity at the several Universities, and to report. *Ibid.*

Committee for Overtures named. *Ibid.*

Committee for Bills, References, and Appeals named. *Ibid.*

A Diet spent in Prayer. *May 24th Sess. 2.*

Ministers named to preach before his Grace the King's Commissioner. *Ibid.*

The Act 7th of the Assembly 1718, for the better Dispatch of the Business of Assembly, read, and the Observation thereof enjoined. *Ibid.*

The Draught of an Answer to the King's most gracious Letter to this Assembly brought in and approved; and his Grace the Commissioner undertakes to transmit the same to his Majesty. *May 25th Sess. 3.*

The Report of the Committee for revising Commissions, brought in; their Remarks, That the Commissions from the Presbytery of *Dunkeld* bears, that the Presbytery do not know if the Duke of *Athol*, one of their Ruling Elders, has signed the Formula; That the Commission from the Presbytery of *Kincardin Oniel* is dated the 14th *April*; That the Commissions from the Presbyteries of *Dunbar* and *Earlstoun*, do not bear the Clause attesting the Qualifications of Elders, according to what is required by Act of Assembly 1722; That the Commission from the Burgh of *Perth* is dated the 11th Day of *March*; And that the Commissions from the Burghs of *Glasgow*, *Kirkaldy*, *Dysart* and *Kinghorn*, have not the Day of the Meeting of the Assembly filled up; read, with the Opinion of the Committee for Overtures thereon. The Duke of *Athol* agreed to be continued a Member, upon his signing the Formula in presence of the Assembly. The Commissioners from the other Presbyteries and Burghs above mentioned, indulged for this time to sit as Members of the Assembly; and the Committee for Overtures appointed to consider what Effect such Objections against Commissions shall have in time coming, and to report their Opinion thereon to the Assembly. *Ibid.*

A Committee of Persons out of each Synod appointed to revise the Register of the Actings and Proceedings of the Commission of the late General Assembly, audit the Procurator's and Agents Accompts, consider the State of the Church's public Money, and prepare Overtures about the same, agreeably to the 7th Act of the Assembly 1712, and 8th Act of Assembly 1719; and all Petitions and Claims for any Part of the said Money, ordered to be laid before the said Committee, and they appointed to

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prepare any Overtures or References made by the late Commission to this Assembly. *Ibid.*

A Committee appointed to revise the Register of the Committee named by last Assembly for managing the Royal Bounty for Reformation of the Highlands and Islands. *Ibid.*

Committees named to revise the Synod Books of Glasgow and *Air, Perth and Stirling, Fife, Aberdeen, Sutherland and Caithness, Merse and Teviotdale, and Galloway.* *Ibid.*

The Synod Books of *Argyle, Moray, Ross, Glenelg, Orkney, Lothian and Tweeddale, Angus and Mearns, Dumfries,* and Presbytery Book of *Zetland* absent, and resolved that the Reasons thereof be inquired into. *Ibid.*

The Proceedings and Act of last General Assembly, accepting of *John Baillie's* Resignation of the Offices of Agent for the Church, Sub-clerk to the General Assembly and Commissions thereof, and Clerk to the Committee for managing the Royal Bounty, and thereupon constituting and appointing the said *John Baillie* and *James Edmonstone* Writer in *Edinburgh*, conjunct in these Offices, and that the Survivancy be in the longest Liver of the two solely, read; and the sole Right to the foresaid Offices found now, by the Death of Mr. *John Baillie*, to be devolved upon the said *James Edmonstone*, as being entitled, by Act of last Assembly, to the Survivancy of all these Offices, and he appointed to exercise them accordingly. *Ibid.*

A Committee named to draw an Act and Recommendation for a general Collection to be made at all the Church Doors in *Scotland*, for Behoof of the College at *New Jersey.* *May 27th Sess. 4.*

A Sentence of the Presbytery of *Inverness*, sustaining a Call by the Town and Parish of *Inverness*, to Mr. *Alexander Fraser*, Minister of *Avoch*, to be one of the Ministers of *Inverness*, affirmed; and the said Presbytery appointed to proceed in the necessary Steps towards Mr. *Fraser's* Transportation from *Avoch*, and his Admission as one of the Ministers in the said Town and Parish of *Inverness.* *Ibid.*

Reference to the Commission to cognosce and finally determine in any References or Appeals that shall regularly be brought before them relating to the Transportation of Mr. *Fraser* from *Avoch*, and his Admission at *Inverness.* *Ibid.*

A Sentence of the Synod of *Lothian and Tweeddale*, affirming a Judgment of the Presbytery of *Edinburgh*, refusing to take in and judge of a Libel given into them, by the Heretors and Elders of the Parish of *Nigg*, against Mr. *Patrick Grant*, Minister at *Duthil*, (who by Act of last Assembly, was appointed to be admitted as Minister of the said Parish of *Nigg*) affirmed; and the said Libel
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remitted to the Presbytery of *Abernethy*, and they appointed to proceed upon it with all convenient Dispatch; agreeably to the Rules of this Church: And the Assembly recommended to the Prosecutors, if they are to insist in the said Libel, to bring it before the Presbytery of *Abernethy quam primum*; and empowered the Commission to cognosce and finally determine, in any Reference or Appeal, that shall regularly be brought before them, with respect to the said Process, or the Settlement of the Parish of *Nigg*. *Ibid.*

A Complaint by the Crown, against the Presbytery of *Tain*, for not proceeding to the Transportation of Mr. *Grant* from *Duthil*, and his Admission at *Nigg*, pursuant to the Orders of the last General Assembly, withdrawn, till Mr. *Grant's* Innocence should appear in a proper Manner. *Ibid.*

The Report of the Visitors of the Commission Book brought in, with the Overtures prepared by the Commission. The Commission thanked for their Faithfulness and Diligence in the Affairs committed to them, and their Book ordered to be attested, with a Reservation as to their Decision in the Cause relating to the Settlement of the Parish of *Biggar*. *May 28th Sess. 5.*

A Sentence of the Synod of *Merse* and *Teviotdale*, sustaining a Call to the Reverend Mr. *William Trotter*, to be Minister of the Town and Parish of *Selkirk*, affirmed, and the Presbytery of *Selkirk* appointed to proceed to his Admission, as Minister of the said Parish, according to the Rules of the Church. *Ibid.*

Recommendation to all such as have not collected for the Harbour of *Eymouth*, as recommended by last Assembly, to make that Collection as soon as possible, and remit the Money collected, to Messrs. *Couts* and Company, Merchants in *Edinburgh*, or to Mr. *James Stewart*, Collector of the Fund for the Ministers Widows. *Ibid.*

The Cause relating to the Settlement of the Parish of *Cromarty*, referred to the Commission, with Power to them to cognosce and finally determine therein, at their first Diet, after the Appeal relating to the Right of Patronage is discussed. *May 29th Sess. 6.*

The Report of the Committee appointed by last Assembly, to correspond with the Society of Noblemen and Gentlemen at *London*, for receiving the Monies collected for the German Protestants in *Pensilvania*, produced, bearing, that Mr. *William Hogg* had by their Order, agreeable to the Appointment of last Assembly, remitted on the 23d of *April* last, to the Reverend Mr. *Samuel Chandler*, Secretary to the said Society, 1132 *l.* which with the Exchange at 3-fourths *per Cent.* was the whole Amount

Amount of the Collection he had then received for the said *German* Protestants, making in all 1140 *l.* 9 *s.* 11 *d.* May 30th Sess. 7.

The Committee named by the last Assembly, to correspond with the above Society at *London*, appointed to prepare a Draught of Answers to the Letters produced to the said Assembly 1752, from the Synod of *South Holland* and Classis of *Amsterdam*, and lay the same before the Commission, at their Meeting immediately after the rising of the Assembly; and the said Committee are continued for the Purpose for which they were named by the last Assembly, of corresponding with the said Society at *London*. *Ibid.*

Act anent licensing Probationers and settling of Ministers, in Consequence of a Presentation. *Ibid.*

Overture anent Ministers ordained in *England*, or in foreign Parts. *Ibid.*

An Overture respecting the Execution of the Sentence of the supreme Court, referred to the Commission to be considered by them, that they may report concerning the Subject Matter of it, to the next Assembly. *Ibid.*

Act declaring Ministers ordained or admitted to Parishes, to be *ipso facto* Members of the Presbytery and Synod in whole Bounds the Parish lyes, and ordaining Clerks to enroll them. *Ibid.*

Act declaring the 12th Act of the Assembly 1736, anent Presbyteries refusing to obey the Sentences of the Commission, to be extended to Sentences passed by the General Assembly, and not obeyed by Presbyteries. *Ibid.*

An Overture concerning the Method of Proceeding against a Presbytery or any of the Members thereof, in order to censure, for not carrying into execution a Settlement appointed by the Assembly, and proposing that it shall be in the Way of a Libel, rejected. *Ibid.*

The Members from the several Synods, appointed to meet among themselves, in order to name those of each Synod, who are to be of the Committee, for naming the Members of the Commission, according to the 6th Act of Assembly 1705. *Ibid.*

The Accompts of the Procurator and Agents for the Church, with an Accompt of Stationary Wares, furnished for the Use of the Church, with the Report of the Committee, who examined the same, produced, and ordered to lye on the Table till another Meeting, to be perused by Members. *Ibid.*

The Report of the Trustees of the Fund for a Provision to Ministers Widows, &c. brought in, and ordered to lye upon the Table till another Meeting. *Ibid.*

Act appointing a Collection to be made at the Church Doors of all the Parishes in *Scotland*, for the College of *New-Jersey*, upon any *Lord's-day* betwixt and the first of *January* next, the particular Day to be fixed by the several

several Presbyteries, as they find to be most convenient for the Parishes in their Bounds: and the Money collected within the Bounds of the Synods of *Glasgow* and *Air*, and of *Argyle*, appointed to be paid in to Baillie *Archibald Ingram* Merchant in *Glasgow*; and that collected within the Bounds of the other Synods in *Scotland*, to be paid in to Mr. *William Hogg* and Son, Merchants in *Edinburgh*; and a Recommendation to Ministers to apply to the Nobility and Gentry, as they have Opportunity, to give their charitable Assistance in this Matter. *May 31st, Sess. 8th.*

A List of Members from the several Synods brought in, and appointed as a Committee to name the Members of the Commission of this Assembly, and prepare Instructions to them. *Ibid.*

A Complaint brought in against the Commission, anent the Settlement of the Parish of *Biggar*; and there being a Prospect, that this Matter would be brought to such a Conclusion as should be to the Satisfaction of all concerned, it is agreed, that this Question lye over till next Assembly; and, in case the Presentation to Mr. *Haig* to be Minister of that Parish is taken out of the Field, the Presbytery of *Biggar* impowered to proceed to the Settlement of the said Parish, according to the Rules of the Church; and, in the Event above mentioned, the Commission are impowered to cognosce and finally determine in any future Question that shall regularly be brought before them, with respect to the Settlement of the said Parish. *Ibid.*

An Overture anent varying the ordinary Form of the Sentence of Deposition, in Cases where the Judicatories shall find Reason to dismiss any of their Members from the Ministry of this Church, in Questions relating to her national Establishment, dropt. *Ibid.*

The Report of the Committee for naming the Members of the Commission, and drawing Instructions to them, brought in and approven. *June 1st, Sess. 8th.*

Report of the Visitors of the Register of the Committee named by last Assembly for managing the Royal Bounty brought in, and delayed till *Monday* next. *Ibid.*

An Overture, that the Commission shall not henceforth be impowered to judge of any Causes relating to the Settlement of Parishes, but such as have first been brought by Reference or Appeal to the General Assembly, and are by them specially referred to their Commission, read, and dropt. *Ibid.*

An Overture anent the Commission's judging in all Questions relating to the Settlement of Parishes, at their first Meeting after the Assembly, read, and dropt. *Ibid.*

Overture anent Members of inferior Courts judging in Causes appealed from them to the superior Courts. *Ibid.*

Petitions for the Commissioners from the Presbyteries of *Uist* and *Zetland*, craving Viaticums for their Attendance

ance on this Assembly, refused, in respect of the Resolution anent Viaticums entered into by the Assembly 1752. *Ibid.*

Petitions respecting Processes at the Instance of the Ministers of *Kinguise, Lerwick, Premnay, and Oyne*; recommended to the Gentlemen of the Law, Members of this Assembly, if they shall find just Grounds for the above Processes, to give their Assistance therein. *Ibid.*

Reference to the Commission, at their first Meeting after the Rising of the Assembly, to consider what shall be the Effect, in Time coming, of Informalities in Commissions to Members of Assembly; or the Want of certain Clauses respecting the Qualification of Members; and they appointed to prepare an Overture thereupon, to be laid before the next General Assembly. *Ibid.*

An Overture anent the Qualification of Elders, Members of the Assembly, referred to the Commission, to be taken in at their first Meeting after the Rising of the Assembly, if they can overtake it. *Ibid.*

Reference to the Commission, at their first Meeting after the Rising of the Assembly, to consider an Overture, proposing, that all Presbyteries be enjoined, on the Day when they are to chuse Members of Assembly, that, before the Election, they cause read the 9th Act of Assembly 1722, concerning the Qualifications of Elders, and the 7th Act of Assembly 1725, concerning the Form of the Attestation of Commissions. *Ibid.*

An Overture anent the planting of vacant Churches, referred to the Commission. *Ibid.*

A Letter from the Society in *Scotland* for propagating Christian Knowledge, anent the Act for a Collection for the College of *New Jersey*, produced and read, and ordered to be annexed to the said Act, and read therewith. *June 3d, Sess ult.*

The Remarks made by the Visitors of the Register of the Committee named by last Assembly for managing the Royal Bounty, read. The present Missionary at *Strontian*, not having the *Irish* Language, appointed to be dismissed from that Station, and one having the *Irish* Language to be settled there. Presbyteries, wherein any Part of the Royal Bounty is employed, appointed to send up their Representations annually, some Time before the Meeting of the Assembly, of any Thing they have to offer anent the Application of that Fund. A Recommendation to the Managers of the Royal Bounty, at their first Meeting after the Assembly to make as great Progress towards fixing of the Scheme for the ensuing Year as they can. *Ibid.*

The Committee for managing the Royal Bounty appointed to employ a Minister at *Fort-Augustus*, with a Salary of 30*l. Sterl.* *Ibid.*

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Reference to the Commission to consider of the proper Method for having the Inconveniencies arising from the Scarcity of Students having the *Irish* Language remedied. *Ibid.*

The Register of the Committee named by last Assembly for managing the Royal Bounty attested. *Ibid.*

The Draught of a Commission, and Instructions to the Committee for managing the Royal Bounty this Year, brought in and approved. *Ibid.*

All Causes depending before the Commission of last Assembly, and not discussed by them, referred to the Commission of this Assembly. *Ibid.*

Act approving the Accompts of Mr. *David Dalrymple* Advocate, Procurator for the Church, his Intrusions with his Majesty's Allowance for defraying the Public Charges of the Church, for the Terms of *Lady-day, Midsummer, Michaelmas* and *Christmas*, 1753, and appointing a Balance of Forty two Pound two Shilling and three Pence Half-penny *Sterl.* in his Hands to be charged in his next Account. *Ibid.*

Act approving of the Accompts of *James Edmonstone*, Sub-clerk to the General Assembly, and Agent for the Church, and appointing that he have Credit in his next Account for the Balance of Four Pound ten Shillings and ten Pence Half-penny *Sterl.* due to him. *Ibid.*

Act approving of the Accompts of the deceased *John Baillie*, late Agent for the Church, and appointing that the Balance of Twenty Pounds six Shillings and eleven Pence Half-penny *Sterl.* resting to him, be paid to his Heirs. *Ibid.*

Order for Payment of an Account of Stationary Wares furnished for the Use of the Church, amounting to Six Pounds ten Pence *Sterl.* *Ibid.*

Reference to the Commission to call the Visitors of the Synod Book of *Glasgow* and *Air* to account for their Absence at this Sederunt, and, if they see Cause, to order the said Book to be attested. *Ibid.*

The Synod Books of *Perth* and *Stirling*, *Fife*, *Aberdeen*, *Sutherland* and *Caithness*, *Merse* and *Teviotdale*, *Dumfries* and *Galloway*, attested. *Ibid.*

The Synod Books of *Argyle*, *Moray*, *Ross*, *Glenelg*, *Orkney*, *Lothian* and *Tweeddale*, *Angus* and *Mearns*, and the Presbytery Book of *Zetland*, absent, and ordered to be brought up to be revised by the next Assembly. *Ibid.*

Protestation admitted at the Instance of the Synod of *Dumfries*, against *James Reid* of the Parish of *Kirkgunzean*, for not insisting in his Appeal from a Judgment of the said Synod, pronounced in a Process of Scandal against him. *Ibid.*

Protestation admitted at the Instance of the Synod of *Dumfries*, and Presbytery of *Langholm*, against *James Telfer* of the Parish of *Cannaby*, for not insisting in an Appeal taken

- taken by him from a Sentence of the said Synod, pronounced in a Procels of Scandal against him. *Ibid.*
- Protestation admitted at the Instance of the Synod of *Lothian* and Presbytery of *Edinburgh*, against the *Tron-Kirk* Session of *Edinburgh*, for not insisting in the Appeal taken by them, from the Sentence of the said Synod and Presbytery, translating Mr. *John Jardine* from the *Lady Yester's Church* to the *Tron Church*. *Ibid.*
- List of Probationers in the Bounds of 28 Presbyteries produced, amounting to 87, and ordered to be recorded. And the Commission appointed to write Letters to the several Presbyteries who have not sent up Lists of Probationers in their Bounds, desiring them to be more punctual, in Time coming, in observing the Act of Assembly anent sending up Lists of Probationers. *Ibid.*
- The Report of the Trustees for managing the Fund for a Provision to Ministers Widows, containing a State of the Fund under their Management, and an Account of their Proceedings since last General Assembly, reproduced, and ordered to be recorded in the separate Register kept for that Purpose. *Ibid.*
- The Minutes of this Sederunt were read, the Minutes of former Sederunts being read at the Diets subsequent to each Sederunt. *Ibid.*
- A Committee named to revise the Minutes of this Assembly's Proceedings at this and all the other Diets thereof, and to pitch upon such of the Acts of this Assembly as are to be standing Rules, or are of public Use, in order to their being printed. *Ibid.*
- The Moderator's Speech to the Assembly, and to his Majesty's Commissioner. *Ibid.*
- The Lord Commissioner's Speech in return thereto; and then the Assembly concluded.

F I N I S.